

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of)
Patrice DUVERT) Group Art Unit: 1616
Application No.:) Examiner: Allen J. Robinson
Filed: February 20, 2002)
For: SYNERGISTIC FUNGICIDAL) Continuation of Appln. No. 09/505,874
COMPOSITION COMPRISING A) filed February 17, 2000
COMPOUND ANALOGOUS)
TO STROBILURIN)

**INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- No additional fee for submission of an IDS is required.
 The fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
 A certification under 37 C.F.R. § 1.97(e) is also enclosed.
 A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
 Charge \$_____ to Deposit Account No. 02-4800 for the fee due.
 A check in the amount of \$_____ is enclosed for the fee due.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

Date: February 20, 2002

Patent Application
Attorney's Docket No. 022650-621

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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with the requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicant is filing herewith a Form PTO-1449 list of documents for consideration by the Examiner, together with copies of the International Search Report (in French and English) and International Preliminary Examination Report (in French together with an English translation) issued in connection with International Appln. No. PCT/FR96/01532, of which grandparent application No. 09/051,199 was the U.S. national phase.

All of the documents cited in the International Search Report and International Preliminary Examination Report during the international phase of PCT/FR96/01532 are listed on the accompanying Form PTO-1449. Also listed on the accompanying Form PTO-1449 are documents cited in the instant specification.

Copies of the patent documents listed on the accompanying Form PTO-1449 are not enclosed because they were previously made of record in grandparent application No. 09/051,199, filed July 2, 1998, now U.S. Patent No. 6,057,331, of which parent Appln No. 09/505,874, filed February 17, 2000, was a divisional, the present application being a continuation of Appln. No. 09/505,874. Under the provisions of 37 C.F.R. §1.98(d), further copies are not required to be filed in the instant application. However, copies of the literature references are enclosed because their citation in the parent and grandparent applications did not include recitation of publisher and place of publication data as required by the current rules of practice. Also enclosed, for the Examiner's convenience, is a copy of U.S. Patent No. 6,057,331, which issued on the grandparent application No. 09/051,199 of the subject application.

The following remarks are offered in regard to the cited documents which are not in English:

WO 95/15083 is cited in the International Search Report and in the International Preliminary Examination Report. This reference is in Japanese, although an English-language abstract appears on its cover page. The English translation of the International Search Report serves as the requisite brief statement of relevance. Moreover, a copy of EP 0741970, which is the European regional phase corresponding to WO 95/15083 and is an English translation thereof, was provided in the grandparent application.

EP 0253213 is cited in the instant specification. To serve as English translations of this German-language document, applicant provided in the grandparent application copies of the corresponding U.S. patents, Wenderoth et al U.S.P.s 4,829,085 and Re. 33,989.

Patrice DUVERT

-3-

Patent Application
Attorney's Docket No. 022650-621

It is requested that the Examiner consider this statement and all of the documents cited in the accompanying Form PTO-1449 and return an initialed copy thereof to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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